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DATE: April 22, 2008

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TO: Examiner Nicholas W. Woodall, Group Art Unit 3733
COMPANY: U.S. Patent and Trademark Office

FAX NUMBER: 571-273-5300
PHONE NUMBER: 571-272-5204

FROM: Douglas A. Collier

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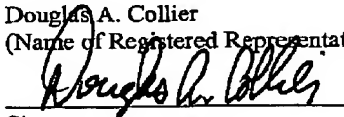
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RE: Response to Office Action for U.S. Patent Application No. 10/680,358 to Frank J. Schwab et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

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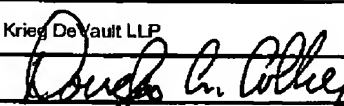
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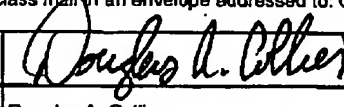
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/880,358
	Filing Date	October 7, 2003
	First Named Inventor	Frank J. Schwab
	Art Unit	3733
	Examiner Name	Nicholas W. Woodall
Total Number of Pages in This Submission	Attorney Docket Number	MSDI-245/PC819.00

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet
Remarks _____		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Krieg Devault LLP	
Signature		
Printed name	Douglas A. Collier	
Date	April 22, 2008	Reg. No. 43,556

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Typed or printed name	Douglas A. Collier	Date April 22, 2008

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KD_1374946_1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re patent application of:
Frank J. Schwab et al.

Application Serial No. 10/680,358

Filed: October 7, 2003

INSERTION DEVICE AND TECHNIQUES
FOR ORTHOPAEDIC IMPLANTSBefore the Examiner:
Nicholas W. WoodallGroup Art Unit:
3733Attorney Ref. No.:
MSDI-245/PC819.00

April 22, 2008

RESPONSE TO NON-FINAL OFFICE ACTIONCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated January 23, 2008, please enter the following amendments and consider the following remarks. No additional fees or extensions or time are believed due. However, please provide any extensions of time necessary and charge any additional fees which may be due to Deposit Account No. 12-2424, but not to include any payment of issue fees.

Claim Amendments begin on page 2.

Remarks begin on page 12.

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Response to Non-Final Office Action
Application Serial No. 10/680,358
Atty Docket No. MSDI-245/PC819.00
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